HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6345 of 2000

02-08-2005

Between:

M/s. Naga Venkateswara Seeds

…Petitioner.

And

The Secretary, Agricultural Market Committee,

Nandyal, Kurnool District.

…Respondent.

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6345 of 2000

ORDER :

The petitioner filed the writ petition seeking a declaration that the action of the respondent in insisting upon the petitioner to pay market fee on seeds under the provisions of Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966 as illegal and arbitrary and seeks a direction to the respondent not to collect any market fee from the petitioner. This writ petition is squarely covered by the judgment dated 8.02.2005, passed by this Court in W.P.No.13527 of 2004 & batch, which was disposed of in the following manner.

a. Seeds developed and manufactured by the petitioners, and sold as certified or labeled seeds, are not subject to levy of market fee, and the demand notices issued therefore are set aside.

b. Vegetable seeds are not covered by the provisions of the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966, and are not subject to levy of market fee.

c. Such part of the product, grown out of foundation seed, by a farmer, chosen by the seed manufacturers, as is not sold and used as seed, shall be liable to be levied the market fee. For this purpose, the Executive Heads of the Market Committees shall be entitled to require the Seed Manufacturers, operating within the notified area, to furnish the relevant particulars and take consequential steps.

Following the same, the writ petition is accordingly disposed of. No costs.

_____

(V.V.S.RAO, J.)

02-08-2005

Msr.

HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6345 of 2000

02-08-2005

(Msr)